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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/773,849	01/31/2001	Russell C. Hay	M00-273000	3574

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PARK, VAUGHAN & FLEMING LLP
508 SECOND STREET
SUITE 201
DAVIS, CA 95616

EXAMINER

PHAM, THOMAS K

ART UNIT	PAPER NUMBER
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2121

DATE MAILED: 06/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/773,849

Applicant(s)

HAY, RUSSELL C.

Examiner

Thomas K Pham

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 January 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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First Action on the Merits

1. Claims 1-24 of U.S. Application 09/773,849 filed on 1/31/2001 are presented for examination.

Quotations of U.S. Code Title 35

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(c) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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Claim Rejections - 35 USC § 103

6. Claims 1-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,578,054 ("Hopmann") in view of U.S. Patent No. 6,308,205 ("Carcerano").

Regarding claims 1, 9 and 17

Hopmann teaches, a method for entering system administration data using a portable computing device, wherein the portable computing device may not be able to access an associated system to be administered during data entry comprising: establishing communication between the portable computing device and the associated system at a later time (col. 12 lines 50-55, "The mode of operation ... synchronize while on-line"); and transferring the element of system administration data from the data entry program to the associated system so that an associated system administration function can be performed on the associated system (col. 13 lines 28-35, "Once the client is on-line ... identifiers have been cached"). Hopmann does not teach providing access to a data entry program to a system administrator using the portable computing device; accepting an element of system administration data into the data entry program from the system administrator, wherein the element of system administration data can be used by the associated system to generate system administration commands. However, Carcerano teaches providing access to a data entry program to a system administrator using the portable computing device (col. 1 lines 61-63, "a system that allows ... on the user's workstation"); accepting an element of system administration data into the data entry program from the system administrator, wherein the element of system administration data can be used by the associated system to generate system administration commands (col. 2 lines 12-26, "The management system ... to update the database") for the purpose of allowing network administrator remotely views and updates

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configuration of network devices. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the remote configuration of Carcerano with the off-line system of Hopmann because it would provide for the purpose of allowing network administrator remotely views and updates configuration of network devices without overburdened the network traffic.

Regarding claims 2, 10 and 18

Carcerano teaches the element of system administration data includes data to generate event management commands (col. 9 lines 15-21, "Network management server 104 ... once every few minutes").

Regarding claims 3, 11 and 19

Carcerano teaches the element of system administration data includes data to generate account management commands (col. 12 lines 28-33, "Administrator mode indicator ... configuration of devices on network 1").

Regarding claims 4, 12 and 20

Carcerano teaches the element of system administration data includes data to generate package management commands (col. 6 lines 26-35, "network interface device 50 ... transmitted onto network 1").

Regarding claims 5, 13 and 21

Hopmann teaches establishing communication between the portable computing device and the associated system includes: establishing communication between the portable computing device and a local system, transferring the element of system administration data from the portable computing device to the local system (col. 7 lines 55-65, "The data can be ... between client 140

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and local stored 200"); translating the element of system administration data from a format used by the portable computing device to a second format used by the associated system (col. 13 lines 28-35, "Once the client is on-line ... identifiers have been cached"); establishing communications between the local system and the associated system through a network, and transferring the element of system administration data from the local system to the associated system (col. 13 lines 5-13, "if the client ... to the client and cached").

Regarding claims 6, 14 and 22

Carcerano teaches transferring existing system administration data from the associated system to the portable computing device to allow the system administrator to modify existing system administration data (col. 10 lines 52-61, "browser-based network ... configuration data for the targeted device").

Regarding claims 7, 15 and 23

Hopmann teaches allowing the system administrator to delete existing system administration data (col. 7 lines 61-65, "When client 140 is off-line ... and local stored 200").

Regarding claims 8, 16 and 24

Carcerano teaches limiting access to certain devices for security reasons (col. 5 lines 9-12, "For security reasons ... could be limited to workstations 10 and 11") for the purpose of restricting access to unauthorized person. Therefore, it would be obvious to one of ordinary skill in the art at the time of the invention that the system administrator must issued password to authorized personnel according to each individual privileges for the system to verify prior to entering a system for the purpose of restricting access to unauthorized person due to security reasons.

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner *Thomas Pham*; whose telephone number is (703) 305-7587 and fax number is (703) 746-8874, Monday-Thursday and every other Friday from 7:30AM- 5:00PM EST or contact Supervisor *Mr. Anthony Knight* at (703) 308-3179.

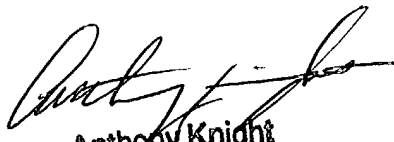
Any response to this office action should be mailed to: **Director of Patents and Trademarks Washington, D.C. 20231**, or **Hand-delivered** responses should be brought to **Crystal Park II, 2121 Crystal Drive Arlington, Virginia, (Receptionist located on the 4th floor)**, or fax to the **official fax number (703) 872- 9306**.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Thomas Pham
Patent Examiner

TP

June 14, 2004


Anthony Knight
Supervisory Patent Examiner
Group 3600